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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/651,999

09/02/2003

Keigo Kitajima

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EXAMINER

LANGDON, EVAN H

ART UNIT

PAPER NUMBER

3654

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/651,999

Applicant(s)

KITAJIMA, KEIGO

Examiner

Evan H Langdon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,7-9,11,12,15 and 16 is/are rejected.
- 7) ☒ Claim(s) 2,5,6,10,13,14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7, 11 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 11 recites the limitation "said fixing means" in line 2. There is insufficient antecedent basis for this limitation in the claim.

In regards to claims 7 and 15, it is not understood what surface of the seat member is being identified. What member is in-between what other two members?

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 8, 9, 11, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Sugawara (US 2002/0056776 A1).

In regards to claims 1 and 9, Sugawara discloses a spinning reel adapted to be mounted to a fishing rod, said spinning reel comprising:

a handle 1;

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a reel unit 2 that rotatably supports the handle, the reel unit having a rod attachment leg portion 2b being mountable to the fishing rod;

a reel body 2a having a body member having an accommodation space 2c opening to a side thereof and a lid member 2d being detachably attached to the body member 2a to cover the accommodation space 2c of the body member 2a, the lid member 2d being detachable from the body member by pulling apart said body member and the lid member in a first direction, as seen by the dashed lines in Figure 3, at least one of the body member 2a and the lid member 2d being formed by die casting, the body member 2a formed as one-piece unitary member with the rod attachment leg portion 2b;

a cover member 13 being mounted from a rear of the reel body 2a;

a seat member 13a being fixedly attached to an inner peripheral surface of the lid member, the cover member 13 being attached to the seat member 13a by fixing means in a second direction, as seen be screw means in Figure 2, that is transverse to the first direction;

a rotor 3 rotatably supported to a front of the reel unit; and

a spool 4 disposed on a front of the reel unit.

In regards to claims 3 and 11, Sugawara discloses the fixing means including a second-direction threaded portion formed on the seat member and extending in a second direction, and a second-direction screw member that is screwed in the second-direction threaded portion.

In regards to claims 8 and 16, Sugawara discloses the inner surface of the cover member 2d contacts the seat 13a.

Claims 1, 3, 8, 9, 11, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Hitomi et al. (US 5,683,051).

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In regards to claims 1 and 9, Hitomi discloses a spinning reel adapted to be mounted to a fishing rod, said spinning reel comprising:

- a handle 1;

- a reel unit 2 that rotatably supports the handle, the reel unit having a rod attachment leg portion 2b being mountable to the fishing rod;

- a reel body 2a having a body member having an accommodation space 2h opening to a side thereof and a lid member 200 being detachably attached to the body member 2a to cover the accommodation space 2h of the body member 2a, the lid member 200 being detachable from the body member by pulling apart said body member and the lid member in a first direction, at least one of the body member 2a and the lid member 200 being formed by die casting, the body member 2a formed as one-piece unitary member with the rod attachment leg portion 2b;

- a cover member 220 being mounted from a rear of the reel body 2a;

- a seat member being fixedly attached to an inner peripheral surface of the lid member 200 and the body member 2a, the cover member 220 being attached to the seat member by fixing means in a second direction, as seen be screw means 222 in Figure 2, that is transverse to the first direction;

- a rotor 3 rotatably supported to a front of the reel unit; and

- a spool 4 disposed on a front of the reel unit.

In regards to claims 3 and 11, Hitomi discloses the fixing means including a second-direction threaded portion formed on the seat member and extending in a second direction, and a second-direction screw member that is screwed in the second-direction threaded portion.

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In regards to claims 8 and 16, Hitomi discloses the inner surface of the cover member 220 contacts the seat, as seen in Figure 2.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugawara in view of Benit et al (US 6,050,513).

Benit teaches a rod attachment leg portion 23 is formed as a one-piece member with lid member, as seen in Figure 6.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lid member of Sugawara to include the rod attachment leg portion as suggested by Benit, for ease of assembly.

Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitomi in view of Benit et al.

Benit teaches a rod attachment leg portion 23 is formed as a one-piece member with lid member, as seen in Figure 6.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lid member of Hitomi to include the rod attachment leg portion as suggested by Benit, for ease of assembly.

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Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugawara in view of Watanabe (US 4,372,701).

Watanabe teaches a cover member 1 made of synthetic resin fixed to a support 2 by a screw means 3 and seat portion 4. As seen in Figure 1, the body member 2 is in-between the cover member 1 and the seat portion 4.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the seat member arrangement of Sugawara to include the body member in-between the cover member and the seat portion as suggested by Watanabe to prevent loosening of the seat portion.

Allowable Subject Matter

Claims 2, 5, 6, 10, 13 and 14 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Claims 2 and 10 contain patentable subject matter because the teachings of the prior art taken as a whole do not show or render obvious the combination set forth, including: the seat member additionally coupled to the body member or the lid member with a screw means in extending in the first direction, with the first direction being transverse the second direction.

Claims 5 and 6, and claims 13 and 14 are indicated as allowable because of their dependency from claims 2 and 10, respectively.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H Langdon whose telephone number is (703)-306-5768. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703)-308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ehl

Kathy Matecki

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